

## REMARKS

Independent claims 1 and 20 are directed to the joint manual movement of an actuator (e.g., slide switch 200 in Fig. 11 or trigger 230 in Fig. 12) and one of the components in the electro-optical reading instrument (e.g., the focusing lens 216 in Figs. 11-12). The actuator and the components are mechanically interconnected so that movement of the actuator directly causes movement of the component. The manual movement of the component, as explained at page 27, 4<sup>th</sup> paragraph, of the specification, is desirable to conserve electrical energy.

Fig. 16b of U.S. Patent No. 6,098,877 to Barkan does not disclose a system that conserves electrical energy, but instead, requires the expenditure of electrical energy to function. A trigger 182, when depressed to a first position, sends an electrical signal to an electrical processor 180 which, in turn, sends an activating signal to an electrical drive 174 which, in turn, moves optical system 172a into the path of the laser beam, and also moves optical system 172b out of the laser beam path. When depressed to a second position, the electrical signals are operative to move optical system 172b into the laser path, and to move optical system 172a out of the path.

There is no “mechanical connection” between the trigger 182 and either optical system 172a, b in Barkan. There is no “direct” movement of either optical system 172a, b. There is no “joint” movement of either optical system 172a, b with the actuator.

Claims 1 and 20 have been amended to make this distinction clearer. Allowance of claims 1-20 is respectfully requested.

Reconsideration of the double patenting rejection over U.S. Patent No. 6,119,944 in view of Barkan is solicited, because neither reference teaches or suggests the manual joint movement between an actuator and a component, as claimed.

Wherefore, a favorable action is earnestly solicited.

Respectfully submitted,

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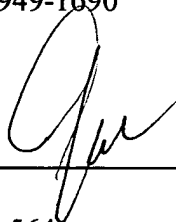
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**MARKED-UP VERSION OF AMENDED CLAIMS 1 & 20**

1. (Amended) A portable instrument for electro-optically reading coded indicia over an extended range of working distances, comprising:

a) a housing having a size and a shape configured to be held in a user's hand during reading;

b) a plurality of electrical and optical components supported by the housing, for directing a light beam toward the indicia for reflection therefrom and for detecting light reflected from the indicia over a field of view, one of the components being movable between first and second positions in which said one of the components is operative for optically modifying at least one of the light beam and the reflected light at first and second optical areas, respectively; and

c) a manual actuator mounted on the housing for actuation and movement by the user, the actuator being mechanically connected to said one of the components and being operative for manually directly moving said one of the components between the first and second positions during joint movement with the actuator to selectively optically modify said at least one of the light beam and the reflected light at the first and second optical areas, respectively.

20. (Amended) A portable instrument for electro-optically reading coded indicia over an extended range of working distances, comprising:

a) a housing having a size and shape configured to be held in a user's hand during reading;

b) a plurality of electrical and optical components supported by the housing, for directing a light beam toward the indicia, one of the components being movable between a first position in which said one of the components is operative for focusing the light beam

at a first focus located in the range, and a second position in which said one of the components is operative for focusing the light beam at a second focus located in the range, the first and second foci being located at different working distances relative to the housing; and

c) a manual actuator mounted for actuation and movement by the user on the housing, the actuator being mechanically connected to said one of the components and being operative for manually directly moving said one of the components between the first and second positions during joint movement with the actuator to selectively focus the light beam at the first and second foci, respectively, during reading.